REMARKS

Claims 1-12 were pending and under consideration.

In the Office Action, Claims 1-12 were rejected.

With this Amendment, Claims 1, 3, 5, and 7 are amended.

Accordingly, Claims 1-12 are at issue.

I. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1, 2, 5, 6, 9-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Morehouse et al. (Morehouse) (U.S. 5,426,562). Although, Applicants respectfully traverse this rejection, Applicants have amended Claims 1 and 5 to remove any ambiguities that may have been the basis for these rejections.

Claim 1 is directed to a cushioning material for supporting an inner first housing and an outer second housing in spaced apart relation. The cushioning material comprises a main body, and at least one projection portion formed to protrude from the main body toward said second housing.

Amended Claim 1 recites that the main body has a space within which at least a portion of only one of a plurality of corners of the first housing is received and having a portion which comes into contact with an outer surface of the first housing for covering at least part of the first housing. In contrast, Morehouse discloses a jacket (main body) 10-1 that is formed to envelop all four corners of a disk drive 20-1.

Morehouse discloses that FIG. 21 shows a shock absorbent jacket 10-1 in accordance with the invention. Further, jacket 10-1 is fabricated or molded from foam rubber or another soft material, and oval-shaped apertures 11-1 and 12-1 in jacket 10-1 are sized to permit a disk drive to be inserted into the jacket. Moreover, FIG. 22 shows a jacket 10-1 with a disk drive 20-1 enclosed inside.

Thus, in Morehouse, the jacket (main body) 10-1 is formed to envelop all four corners of the disk drive 20-1. Morehouse fails to teach or suggest this claimed main body of the cushioning material, which has a space within which at least a portion of only one of a plurality of corners of the first housing is received.

Claims 5 and 9 have been amended in a similar fashion to Claim 1. Thus, Morehouse fails to anticipate independent Claims 1, 5, and 9.

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Hence, Claims 1, 5, and 9 are allowable over Morehouse, as well as dependent Claims 2, 6, and 10 - 12 for at least the same reasons. Applicants respectfully request that these claim rejections under 35 U.S.C. § 102(b) be withdrawn.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 3, 4, 7, 8 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morehouse et al. (Morehouse) in view of Shimada et al. (Shimada)(6,283,438). Applicant respectfully traverses this rejection.

Claims 3 and 7 have been amended in a similar fashion to Claim 1. As shown above, Morehouse fails to teach or suggest the claimed structure of the main body of the cushioning material.

The Examiner states that Shimada is evidence promoting the assertion that Morehouse would have inherently acted to promote deformation upon being subject to shock from the first and second housings. Moreover, Shimada discloses that As shown in FIG. 1, the shock absorbing holder SAH is structured in such a way that a rectangular frame body is integrally structured by two side walls S1 and S2 approximately parallel to each other and two side walls S3 and S4 approximately perpendicular to the two side walls S1 and S2 and approximately parallel to each other. Of the four side walls, at least the two side walls S1 and S2 or the two side walls S3 and S4 preferably have the same shape. The shapes of these side walls S1, S2, S3 and S4 are determined as appropriate according to the shape of a device to be held by the shock absorbing holder SAH. In the present embodiment, the side walls S1, S2, S3 and S4 are formed in a rectangular shape based on a hard disk drive 3 to be accommodated in the shock absorbing holder SAH, as described later.

Thus, Shimada also fails to teach or suggest this claimed main body of the cushioning material, which has a space within which at least a portion of only one of a plurality of corners of the first housing is received.

Accordingly, Morehouse and Shimada may not properly be combined to reject Claims 3, 7 as well as Claim 9. Thus, Claims 3, 7, and 9 are allowable over Morehouse and Shimada, either singly or in combination with each other.

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Hence, Claims 3, 7 and 9 are allowable, as well as corresponding dependent Claims 4, 8 and 12. Applicants respectfully request that these claim rejections under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

In view of the above amendments and remarks, Applicant submits that all Claims 1-12 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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By: /David R. Metzger/
David R. Metzger
Registration No. 32,919
SONNENSCHEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000

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